

Item SPR05-20 Response Form

Title: *Abstract of Judgment* (revise form EJ-001)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **only if modified**
- ☐ **Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

Address: _____

City, State, Zip: _____

Please **write** or **fax** or **respond using the Internet** to:

Address: Ms. Romunda Price,
Judicial Council, 455 Golden Gate Avenue,
San Francisco, CA 94102
Fax: (415) 865-7664 **Attention:** Romunda Price
Internet: www.courtinfo.ca.gov/invitationstocomment

DEADLINE FOR COMMENT: 5:00 p.m., Monday, June 20, 2005

Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council, the Rules and Projects Committee, or the Policy Coordination and Liaison Committee.
All comments will become part of the public record of the council's action..*

Invitation to Comment (SPR05-20)

Title	<i>Abstract of Judgment</i> (revise form EJ-001)
Summary	<i>Abstract of Judgment</i> (form EJ-001) would be revised to specify that the name of each judgment creditor must be included on the form and to provide spaces for that purpose. In addition, some items have been clarified and rearranged to make the form easier to use.
Source	Civil and Small Claims Advisory Committee Hon. Elihu M. Berle, Chair
Staff	Patrick O'Donnell, Committee Counsel, 415-865-7665 patrick.o'donnell@jud.ca.gov
Discussion	<p><i>Abstract of Judgment</i> (form EJ-001) was last revised effective January 1, 2003, to make the recorder's box larger. Some additional revisions are proposed at this time.</p> <p>First, the title of the form would be changed to <i>Abstract of Judgment—Civil</i> to distinguish it from the form available for use in criminal cases.</p> <p>Second, current form EJ-001 has spaces for listing additional judgment debtors, but not additional judgment creditors. A place to indicate these additional judgment creditors would be added on page 1 (item 4) and spaces for providing information about the judgment creditors would be added on page 2 (items 13–15). The information requested on the form about judgment creditors is different than that requested about judgment debtors because of differing statutory requirements. (See Code Civ. Proc., § 674.)</p> <p>Third, current items 2–9 on form EJ-001 would be reorganized.</p> <p>Current items 3 and 4 concerning judgment debtors and creditors would be located to revised items 1–4 above the double line.</p> <p>The total judgment amount would remain as item 6, but would become the first item below the double line.</p> <p>A new item 7 would state “All judgment debtors and creditors are listed on this abstract.”</p> <p>Current item 5, on the dates the judgment was entered and renewed would become item 8; current item 7, on liens, would become item 10; current item 8, on stays of enforcement, would become item 11 and current items 2a and 2b, where the clerk certifies that either (a) this is a</p>

Invitation to Comment (SPR05-20)

true and correct abstract or (b) a certified copy of the judgment is attached and would become items 12a and 12b.

Attachments

DRAFT

4/4/05

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number and telephone number):

Recording requested by and return to:

☐ ATTORNEY FOR ☐ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

FOR RECORDER'S USE ONLY

PLAINTIFF:

CASE NUMBER:

DEFENDANT:

ABSTRACT OF JUDGMENT—CIVIL ☐ Amended

FOR COURT USE ONLY

1. The ☐ judgment creditor ☐ assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

b. Driver's license No. and state:

c. Social security No.:

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):

☐ Unknown

☐ Unknown

2. ☐ Information on additional judgment debtors is shown on page 2.

3. Judgment creditor (name and address):

4. ☐ Information on additional judgment creditors is shown on page 2.

5. ☐ Original abstract recorded in this county:

(1) Date:

(2) Instrument No.:

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date):

b. Renewal entered on (date):

9. ☐ This judgment is an installment judgment.

10. ☐ An ☐ execution lien ☐ attachment lien is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

11. A stay of enforcement has

a. ☐ not been ordered by the court.

b. ☐ been ordered by the court effective until (date):

12. a. ☐ I certify that this is a true and correct abstract of the judgment entered in this action.

b. ☐ A certified copy of the judgment is attached.

Clerk, by _____, Deputy

[SEAL]

This abstract issued on (date):

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (*name and address*):

14. Judgment creditor (*name and address*):

15. ☐ Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

Driver's license No. & state: ☐ Unknown

Social security No.: ☐ Unknown

Summons was personally served at or mailed to (*address*):

17. Name and last known address

Driver's license No. & state: ☐ Unknown

Social security No.: ☐ Unknown

Summons was personally served at or mailed to (*address*):

18. Name and last known address

Driver's license No. & state: ☐ Unknown

Social security No.: ☐ Unknown

Summons was personally served at or mailed to (*address*):

19. Name and last known address

Driver's license No. & state: ☐ Unknown

Social security No.: ☐ Unknown

Summons was personally served at or mailed to (*address*):

20. Name and last known address

Driver's license No. & state: ☐ Unknown

Social security No.: ☐ Unknown

Summons was personally served at or mailed to (*address*):

21. Name and last known address

Driver's license No. & state: ☐ Unknown

Social security No.: ☐ Unknown

Summons was personally served at or mailed to (*address*):

22. ☐ Continued on Attachment 22.